

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 10-4269-GAF (JEM)

Date July 25, 2014

Title Jason Saunders v. Alphonso A. Swaby, et al.

Present: The Honorable John E. McDermott, United States Magistrate Judge

S. Anthony

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None Present

None Present

Proceedings: **(IN CHAMBERS) ORDER TO SHOW CAUSE RE: DISMISSAL
FOR FAILURE TO PROSECUTE**

On February 25, 2014, the Court issued a Report and Recommendation ("R&R"), recommending that the District Court issue an order granting in part and denying in part Defendants' motion to dismiss Plaintiff's Second Amended Complaint ("SAC"), and dismissing the SAC with leave to amend to the extent set forth in the R&R. On May 12, 2014, the District Judge issued an Order Accepting Findings and Recommendations of United States Magistrate Judge ("May 12 Order"), granting in part and denying in part Defendants' motion to dismiss the SAC and granting Plaintiff leave to file a Third Amended Complaint ("TAC") consistent with the R&R, as modified by the May 12 Order, within thirty days. The June 11, 2014, deadline to file the TAC has passed, and no TAC has been filed.

In light of the foregoing, Plaintiff is **ORDERED TO SHOW CAUSE** why this case should not be dismissed for failure to prosecute and/or failure to comply with a Court order. Plaintiff shall file a written response to this Order to Show Cause no later than **August 22, 2014**.¹ Plaintiff's failure to respond in writing to the Order to Show Cause by the deadline may result in a recommendation that this action be dismissed for failure to prosecute and/or failure to comply with a court order.

Filing of a Third Amended Complaint consistent with the R&R, as modified by the District Judge's Order of May 12, 2014, shall be a satisfactory response to the Order to Show Cause.

¹ Pursuant to Rule 78 of the Federal Rules of Civil Procedure and Local Rule 7-15, oral argument on this Order to Show Cause will not be heard unless ordered by the Court. Upon the filing of a Response, the Order to Show Cause will stand submitted.

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No extensions of this deadline will be granted absent extraordinary circumstances.

IT IS SO ORDERED.

cc: Parties

cc: Parties

Initials of Deputy Clerk

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